

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

RODNEY LINGO, :  
 :  
Plaintiff : CIVIL ACTION NO. 3:22-1275  
 :  
v. : (JUDGE MANNION)  
 :  
BHI ENERGY POWER SERVICES, :  
 :  
Defendants :

**ORDER**

In accordance with this Court's memorandum issued this same day,

**IT IS HEREBY ORDERED THAT:**

- (1) The above-captioned action is **DISMISSED** for lack of subject matter jurisdiction.
- (2) The defendant's motion to dismiss, (Doc. 13), is **DISMISSED**, without prejudice to refiling in state court, **AS MOOT**.
- (3) The Clerk of the Court is directed to **REMAND** this case to the Court of Common Pleas of Luzerne County, and to **CLOSE** this case.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**DATE: December 13, 2022**

22-1275-01-ORDER